

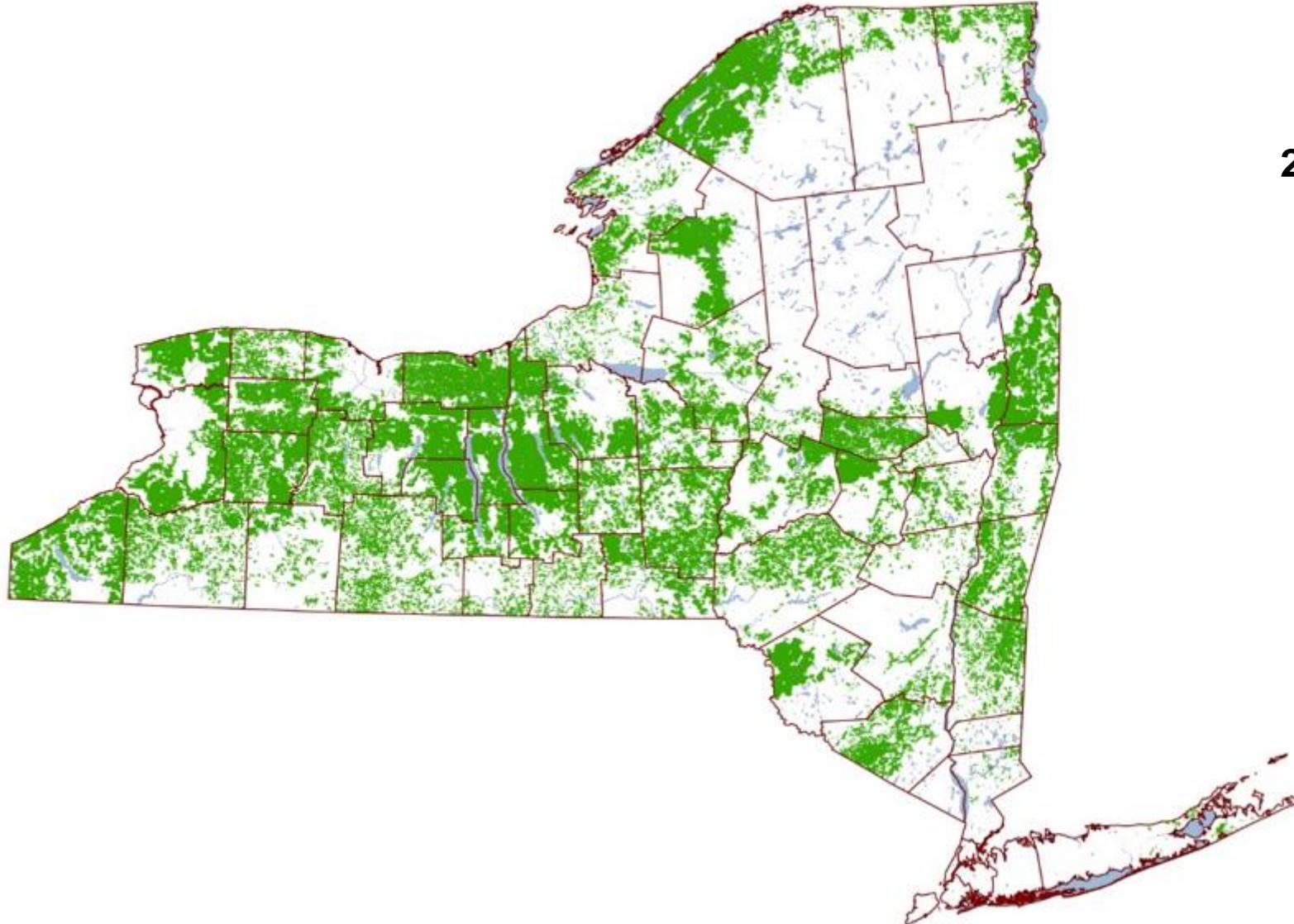
# Agricultural Districts SEQRA Short Form

*March 2022*

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Nicole Persaud: Senior Attorney

# Agricultural Districts



## 2021 Statewide Totals:

9,162,250 Acres  
6.6M Farmed Acres  
26,227 Farms  
53 Counties

# Overview

- Online Mapping Resources
- Ag District Deliverables Review
- SEQRA Short Form
- FAQ's
- Agricultural Districts/ Ag Protection Resources
- Staff Contact Info

# Agricultural Districts Mapping by County: CUGIR



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## Agricultural Districts, Essex County NY, 2018

- Author:** Cornell Institute for Resource Information Sciences (Cornell IRIS) and NYS Department of Agriculture and Markets
- Description:** These GIS files represent geographic boundaries for lands that are under the protection of NYS Agricultural District Law, administered by the New York State Department of Agriculture and Markets. The boundaries are derived from New York State Agricultural District, 1:24,000-scale, maps produced at county agencies. The district boundaries correspond to tax parcel data. District boundaries are joined into a file representing all of the Agricultural Districts within an entire county. Note that 2003 legislation allows lands to be added to districts on an annual basis. Electronic data provided here may predate those additions. Tax parcel detail and secondary rights-of-way are not included in this dataset. Rights-of-way for state and federal highways, railroads and utilities are only included when they are delineated on the original 1:24,000 scale maps. The data files are in ArcGIS shapefile format. A Geographic Information System (ArcGIS) file intended to represent the lands within agricultural district. Please note that boundaries may be generalizations; precise information can be obtained from the county or town tax parcel information.
- Collection:** [Agricultural Districts \(NYS Ag and Markets\)](#)
- Place:** [Essex County NY](#)
- Category:** [agriculture](#) and [property](#)
- Subject:** New York State Agricultural District boundaries, Agriculture and Markets, and Agricultural Districts Mapping Program
- Year:** 2018
- File Size:** 4.82 MB
- More Details:** [Metadata](#)

### Tools

- [SMS This](#)
- [Web services](#)

### Download

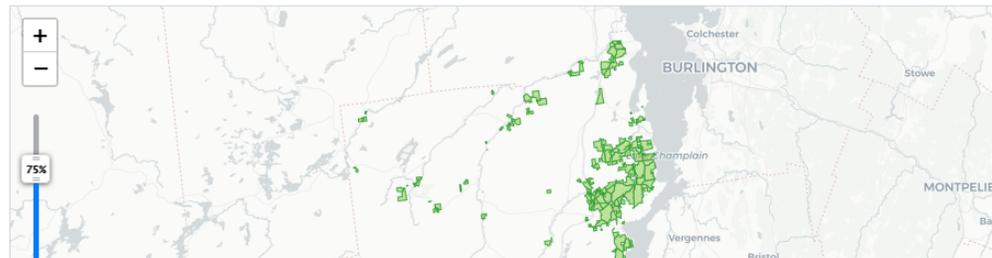
- [Shapefile](#)
- [PDF](#)
- [KML](#)

### Export Formats

- [KMZ \(generated\)](#) [Export](#)
- [GeoJSON \(generated\)](#) [Export](#)

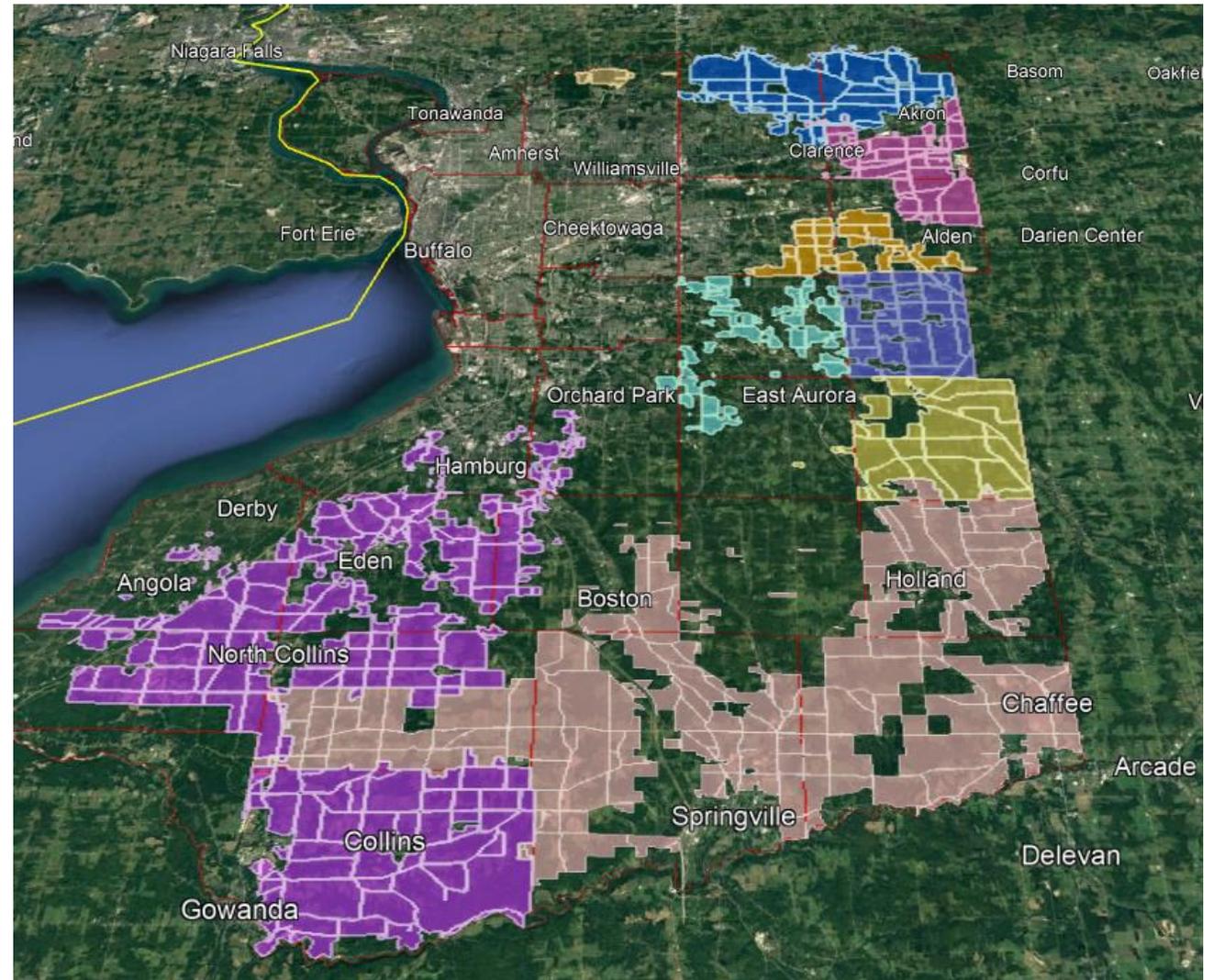
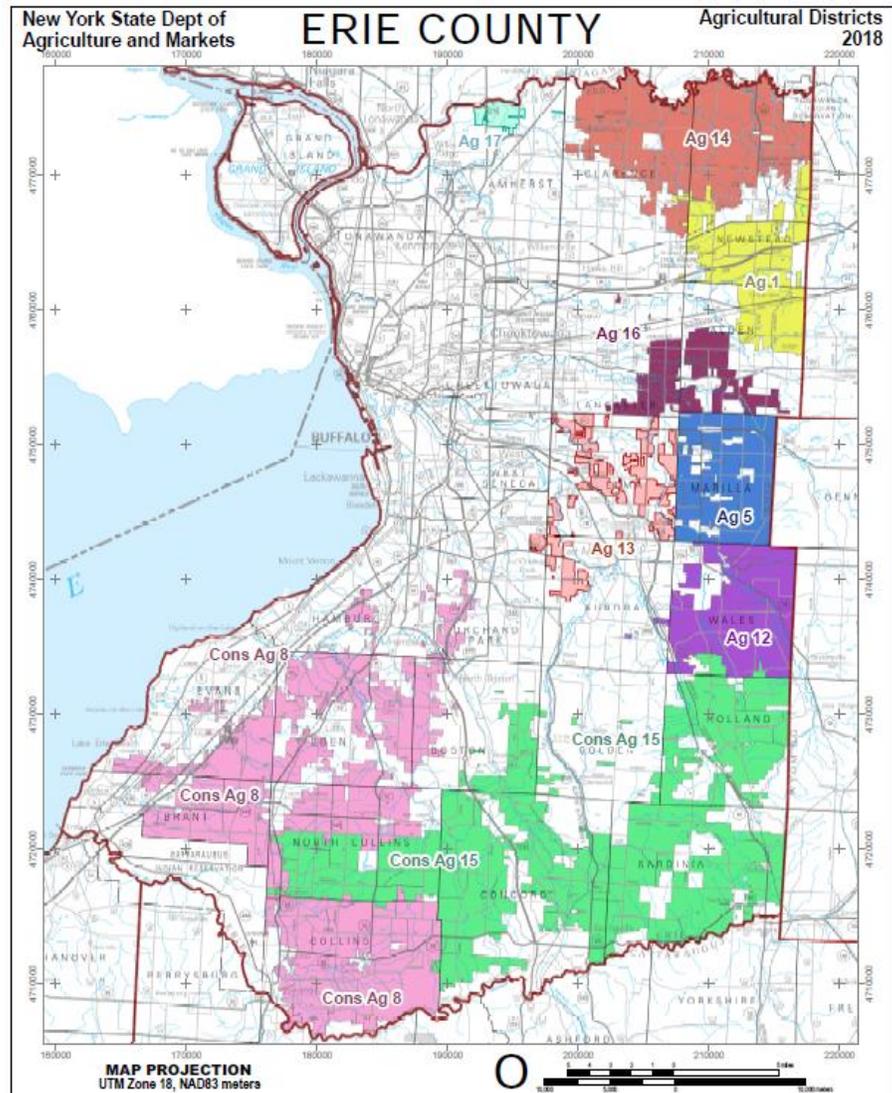
### Derived Datasets

- [Agricultural Districts, New York State, 2021](#)



Attribute	Value
<i>Click on map to inspect values</i>	

# Agricultural Districts Mapping by County: CUGIR



# 303-a: 8-Year Review Deliverables Checklist

*Every 8 years (no penalty for past due submissions)*

- 30-Day Review Notice
- Public Hearing Notice
- Summarized Notes of Public Hearing
- AFPB Report
- Master Parcel List organized by Municipality
- SEQRA Env. Assessment Form
- Review Profile (RA-114)
- County Adopting Resolution
- Mapping data sent to Cornell IRIS

# 303-b: Annual Open Enrollment

*Annually: 30-Day Open Enrollment Period*

- 30-Day Review Notice
- Notice of Public Hearing
- AFPB Report
- Approved Map and Parcel Listing
- County Adopting Resolution
- Environmental Assessment Form

# 303-c: Consolidation

## *During the 8-Year Review of Parent District*

- 30-Day Review Notice
- Public Hearing Notice \*New Anniversary Date
- Summarized Notes of Public Hearing
- AFPB Report
- Master Parcel List organized by Municipality
- SEQRA Env. Assessment Form
- Review Profile (RA-114)
- County Adopting Resolution
- Mapping data sent to Cornell IRIS

# SEQRA Overview

- Historical Perspective – Traditional SEQRA approaches to Agricultural Districting
- New Case Law – *Islandia v. Ball, et al* (Index Nos. 908006-19 & 906725-20)

# Short EAF & Cooperative Agreement – Need

- Agricultural District actions & SEQRA - <https://agriculture.ny.gov/land-and-water/seqra-guidance-agricultural-districts>
- Historical EAF obsolete and non-compliant
- [New Short EAF](#) & SEQRA Cooperative Agreement with Counties
  - [EAF Adoption](#) – must be adopted by all CLBs – use mechanisms to adopt a resolution, after public hearing.
  - [Cooperative Agreement](#) – after EAF adoption, work with AGM Staff. Then CLBs should adopt the new agreement

# Short EAF & Cooperative Agreement - Benefits

- No Solicitation for Lead Agency Required.
- A Streamlined, Uniform and Consistent Approach.
- Establishes Coordinated Review.
- Minimize Review Deliverables
- Valuable Model

# SEQRA Overview – Short EAF & Cooperative Agreement

## UNCOORDINATED REVIEW

- Before SEQR commences, no documentation received from CLB
- CLB SEQR concludes and CLB submits approval of modifications to the district, before certifying the District AGM must complete its own SEQR which consists of:
  - AGM Short EAF and
  - Underlying analysis containing "reasoned elaboration."

## COORDINATED REVIEW

(Non-Adoption of AGM Short EAF & MOU)

- Before SEQR commences, CLBs must submit:
  - Supporting and application documents, and EAF Part 1 to all involved agencies.
  - Solicit lead agency status, and
  - Indicate intent to conduct a coordinated review
- After SEQR concludes, AGM receives:
  - Adopted SEQR findings; and
  - CLB approval of district modifications.

## COORDINATED REVIEW

(Adoption of AGM Short EAF & MOU)

- Before SEQR commences, CLBs must submit:
  - Supporting and application documents, and EAF Part 1 to all involved agencies;
  - CLB need not solicit lead agency, nor intent to conduct coordinated review.
- After SEQR concludes, AGM receives:
  - Adopted SEQR findings; and
  - CLB approval of district modifications.

# Frequently Asked Questions

**Q: Is this new Short Form EAF Required?**

A: No, however, the new Department form streamlines information needed for both SEQR & certification of modifications to the agricultural district. It also eliminates the need to solicit lead agency status, establishes a coordinated review for purposes of SEQRA to eliminate the need for the Department to conduct its own SEQRA review when one has already been completed.

**Q: Can I use New Short form EAF for actions unrelated to the Agricultural Districts program?**

A: No, the new short form EAF is specific to the agricultural districts program, and only applies to agricultural district modifications (Unlisted) other than the initial creation of a district (Type I).

**Q: When can I start using the new Short Form EAF?**

A: SEQRA regulations require all lead agencies using forms other than the one appearing in SEQRA regulations to adopt such forms after a public hearing through the body's normal mechanisms to adopt resolutions. (SEQR Handbook, pg 72 [https://www.dec.ny.gov/docs/permits\\_ej\\_operations\\_pdf/seqrhandbook.pdf](https://www.dec.ny.gov/docs/permits_ej_operations_pdf/seqrhandbook.pdf))

**Q: What is the Cooperative Agreement?**

A: The Cooperative Agreement refers to the Short EAF and sets out the SEQRA process to be followed during all unlisted actions concerning modifications to the district, and must be signed by counties in conjunction with the adoption of the new Short EAF.

# Resources

## **Agricultural Protection Unit, Division of Land and Water Resources:**

**Jeff Kehoe** Agricultural Districts/Planning Grants:  
[Jeffrey.Kehoe@agriculture.ny.gov](mailto:Jeffrey.Kehoe@agriculture.ny.gov) Desk: (518) 457-4626

**Kate Tylutki** 305-a Agricultural Protections:  
[Kate.Tylutki@agriculture.ny.gov](mailto:Kate.Tylutki@agriculture.ny.gov)

## **Department Websites:**

**305-a Agricultural Protections/ Guidance Documents:**  
<https://agriculture.ny.gov/land-and-water/section-305-review-restrictive-laws>

**Agricultural Districts:**  
<https://agriculture.ny.gov/land-and-water/about-agricultural-districts>

**Ag District Mapping by County:**  
[https://cugir.library.cornell.edu/?f%5Bcugir\\_category\\_sm%5D%5B%5D=agriculture](https://cugir.library.cornell.edu/?f%5Bcugir_category_sm%5D%5B%5D=agriculture)

**Funding Opportunities:**  
<https://agriculture.ny.gov/funding-opportunities>

# Resources (continued)

## **Agricultural District Mapping Program, Cornell University IRIS (Institute for Resource Information Sciences)**

<https://iris.cals.cornell.edu/extension/agricultural-districts/>

Diane Ayers [dag10@cornell.edu](mailto:dag10@cornell.edu)

## **Agricultural Value Assessment Program, Department of Taxation and Finance**

<https://www.tax.ny.gov/research/property/assess/valuation/agindex.htm>

Jeremy Kergel [Jeremy.Kergel@tax.ny.gov](mailto:Jeremy.Kergel@tax.ny.gov)

## **Local Government Services, Department of State**

<https://www.dos.ny.gov/lg/>

## **Building Standards and Codes, Department of State:**

<https://www.dos.ny.gov/DCEA/>

## **Farm Brewery/ Cidery/ Wineries etc. State Liquor Authority**

<https://sla.ny.gov/>

## **Industrial Scale Solar Arrays: *NYS Solar Guidebook***

<https://www.nyserda.ny.gov/All%20Programs/Programs/Clean%20Energy%20Siting/Solar%20Guidebook>

## **Publication:**

***Planning for Agriculture:*** <https://farmlandinfo.org/publications/planning-for-agriculture-in-new-york-a-toolkit-for-towns-and-counties/>

# Thank You!

Please direct any additional questions or concerns to:

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**Department of  
Agriculture and Markets**